

**Notice of Allowability**

Application No.

09/309,161

Examiner

CESAR B PAULA

Applicant(s)

CUI ET AL.

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE request filed on 9/20/04.
2. ☒ The allowed claim(s) is/are 1-13, 15 renumbered as 1-14.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All ☐ Some\* ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)          |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____             |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
|  | 9 <input type="checkbox"/> Other  |

**EXAMINER'S AMENDMENT/REASONS FOR ALLOWANCE**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The title has been amended as follows:

Please replace the entire title with the following: "REMOVING COOKIES FROM WEB PAGE RESPONSE HEADERS AND STORING THE COOKIES IN A REPOSITORY FOR LATER USE".

2. Authorization for the following examiner's amendment was given in a telephonic message from Joseph P. O'Malley, Reg.# 36,226 on 1/21/2005:

**DELETE CLAIM 14.**

***Reasons for Allowance***

3. Regarding claims 1-14, the Examiner concurs with the Applicants' statement, regarding 35 USC 112 1<sup>st</sup> paragraph rejections that "The phrase 'owned by a particular session and identified by the session ID' means merely that the proxy server is able to provide the correct cookie to an external web site communicating with a client. For this reason, the Applicant

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respectfully disagrees that there is a contradiction between the specification and the claims. The claims and specification clearly state that the stored cookies are the stripped off cookies from the external web site. Note that the remainder of the present invention's specification supports this interpretation of the above paragraph. For example, the Summary of the Invention reads as follows:

The present invention is on methods and apparatus that can handle cookies for devices with limited memory capacity.

In one embodiment, this is done by a server, which centralizes cookie handling for browsers on a number of clients. Not only does the invention solve the problem of browsers that cannot handle cookies, the invention also protects the privacy of surfers by hiding their identities.

The Summary of the Invention describes the use of a cookie handling proxy server that centralizes cookie handling for a number of clients. It is clear that from the paragraph mentioned by the examiner, that the cookie handling function of the proxy server can be done using a cookie repository to store cookies from an external web site for clients that are unable to handle cookies. There is also a grammatical argument that provides additional evidence. Commas are used in the middle of sentences to set off clauses, phrases and words that are not essential to the meaning of the sentence. See paragraph 3 of the enclosed appendix, a Purdue grammar handout. For example, in the sentence 'that Tuesday, which happens to be my birthday, is the only day when I am available to meet'. The phrase 'which happens to be my birthday' is not used to modify the term 'Tuesday' so it is set off by commas. On the other hand, in the sentence, 'the that I book that I borrowed from you is excellent'. The phrase 'that I borrowed from you' is not set off by commas because it indicates what specific book is excellent. The sentence in dispute in

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the present invention's specification provides two independent pieces of information. The first piece of information is that 'the cookies are typically stored in the cookie repository for subsequent request during the session'. The second piece of information is that 'the cookies are owned by a particular session and are identified by the session ID'. If the phrase 'owned by a particular session and identified by the session ID' is to be an essential phrase that indicates which particular cookies are stored in the cookie repository then the phrase shouldn't be set off by commas." (page 6, lines 1-page 7, line 2). Therefore, the 35 USC 112 1<sup>st</sup> paragraph rejections have been withdrawn.

Regarding claims 1-13, the Examiner also concurs with the Applicants that "Neither Wagner or McGee, alone or in combination include the limitations of claim 1. One of the systems described in Wagner is a conventional system in which cookie data is received from an external web site server and stored in cache memory at the client browser. The web server puts the cookies into the header of a requested web page. The browser can then respond with a request including cookie information, because the cookie data is stored at the client. Wagner describes other systems in which the cookie data is discarded. One system deletes the cookie data from the HTTP header of an incoming file before it is passed to the browser program. An example of this type of system is described in column 2, lines 61-65 of Wagner. Claim 1 includes stripping off cookies set by an external web site, storing the cookies in a repository and then sending a modified response page to the client. None of the cited references, alone or in combination include stripping off cookies and then sending a modified page to a client. For example, Wagner describes two different systems in which either the cookies are used normally

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or the cookies are thrown away. Neither system alone, together, or in combination with McGee would make obvious the above limitations of claim 1.” (page 7, lines 13-27).

Claim 15 teaches the stripping off of cookies set by external web site from a web page response header. The stripping off being done at a proxy server, which then appends a session id to all of the links in the response page before sending it to the client (lines 4-8). This is not taught by Wagner, which teaches the removing of cookies at the client (col.2, lines 54-col.3, line 14), and does not teach the appending of an ID to all the links in the response header.

Furthermore, the subject matter discussed in the claims above are not shown nor would have been obvious to a person of ordinary skill in the art at the time of the invention was made in the prior art cited.

***Conclusion***

I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wright et al, "The Erosion of Privacy", ACM, Computers and Society, 1997, pp.22-25.

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday (every other Friday off) from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free).

Any response to this Action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

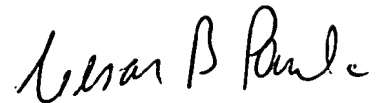
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Or faxed to:

- (703) 703-872-9306, (for all Formal communications intended for entry)



CESAR B PAULA

PRIMARY EXAMINER

AU 2178

1/24/05